

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



Dated: 10:02 AM September 7, 2022

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: Appalachian Basin Capital LLC, Debtor.	Chapter 11 Case No. 22-60052 Judge Russ Kendig
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ORDER SCHEDULING STATUS CONFERENCE HEARING

Anthony J. DeGirolamo for	Appalachian Basin Capital, LLC, Debtor
Anne Piero Silagy for	Loretta Beule, Movant/interested party
Scott R. Belhorn for	United States Trustee, Movant
M. Colette Gibbons for	M. Colette Gibbons, Subchapter V Trustee

The terms “counsel” and “parties,” as used in this Order, include the case attorney, any other

attorney designated or authorized to appear in this adversary proceeding, and any individual appearing *pro se*. Based upon the matters discussed during the initial pretrial hearing,

IT IS HEREBY ORDERED THAT:

1. Status Conference Hearing Date. A status conference hearing will be held on **Monday, October 3, 2022 at 10:00 A.M.** The status conference hearing will take place virtually via video conference using the Zoom® Video Communications application. Parties are directed to consult Judge Patton's *Procedures for Video Conference Hearings via Zoom® Video Communications Memorandum* for video conference hearing procedures. Parties shall be prepared to set a schedule for the *Motion to Dismiss Case Filed by Interested Party Loretta Beule* (Docket No. 53) filed by Loretta Beule; *Motion to Dismiss Case and Deny Confirmation of Debtor's Chapter 11 Plan* (Docket No. 95) filed by the United States Trustee; and *Objection to Confirmation of Debtor's Amended Plan* (Docket No. 129) filed by Loretta Beule and discuss the status of this proceeding.

2. This Order shall not be modified except by leave of Court upon good cause shown. Failure to comply with this Order and the rules governing this matter may result in dismissal of the action, default judgment, assessment of costs and attorney's fees, and/or other sanctions the Court may deem appropriate under the circumstances pursuant to Civil Rule 37, incorporated and made applicable to this proceeding by Bankruptcy Rule 7037. See, e.g., National Hockey League v. Metropolitan Hockey Club, Inc., 427 U.S. 639, 641-43 (1976); Link v. Wabash R. Co., 370 U.S. 626, 633–34 (1962); Taylor v. Medtronics, Inc., 861 F.2d 980, 986-87 (6th Cir. 1988).

3. Parties may contact Judge Patton's courtroom deputy, Brandon Pasvanis (brandon_pasvanis@ohnb.uscourts.gov or (330) 742-0950)), for all matters regarding scheduling

on or after October 1, 2022. Prior to October 1, 2022, they shall contact Judge Kendig's courtroom deputy, Anita Pribula, at (330) 458-2478.

It is so ordered.

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Service List:

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